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#2 2652
S.I.
11-14-03
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

McLAUGHLIN et al.

Serial No.: 09/646,141

Filed: September 13, 2000

Atty. File No.: 3699-2-PUS

For: "COPY PROTECTABLE OPTICAL
MEDIA DEVICE AND
METHODOLOGY THEREFOR"

) Group Art Unit: 2652
)
)
) Examiner:
)
)

INFORMATION DISCLOSURE
STATEMENT

) Express Mail Label: EL975238867US
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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The references cited on attached Form PTO-1449 are being called to the attention of the Examiner.

Copies of the cited references:

☒ Are enclosed herewith.

☐ Are not enclosed, in accordance with 37 C.F.R. 1.98(d), because the references were submitted to the U.S. Patent and Trademark Office in prior application Serial No. _____ filed _____, which is relied upon for an earlier filing date under 35 U.S.C. § 120

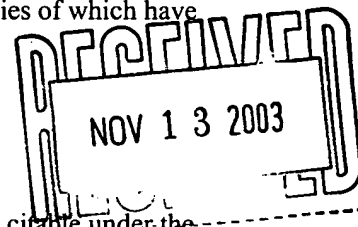
☐ To the best of applicants' belief, the pertinence of the foreign-language references are believed to be summarized in the attached English abstracts and in the figures, although applicants do not necessarily vouch for the accuracy of the translation.

☒ Examiner's attention is drawn to the following co-pending applications, copies of which have been or are being submitted:

Serial No. 09/163,087 filed September 29, 1998

Serial No. 10/057,054 filed January 25, 2002

Submission of the above information is not intended as an admission that any item is citable under the statutes or rules to support a rejection, that any item disclosed represents analogous art, or that those skilled in the art would refer to or recognize the pertinence of any reference without the benefit of hindsight, nor should an inference be drawn as to the pertinence of the references based on the order in which they are presented.



Submission of this statement should not be taken as an indication that a search has been conducted, or that no better art exists.

It is respectfully requested that the cited information be expressly considered during the prosecution of this application and the references made of record therein.

FEES

<input checked="" type="checkbox"/>	<p>37 CFR 1.97(b): No fee is believed due in connection with this submission, because the information disclosure statement submitted herewith is satisfies one of the following conditions ("X" indicates satisfaction):</p> <div style="margin-left: 20px;"> <input type="checkbox"/> Within three months of the filing date of a national application other than a continued prosecution application under 37 CFR 1.53(d), or <input type="checkbox"/> Within three months of the date of entry into the national stage of an international application as set forth in 37 CFR 1.491 or <input checked="" type="checkbox"/> Before the mailing date of a first Office Action on the merits, or <input type="checkbox"/> Before the mailing of a first Office action after the filing of a Request for Continued Examination (RCE) under 37 CFR 1.114. </div> <p>Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970.</p>
<input type="checkbox"/>	<p>37 CFR 1.97(c): The information disclosure statement transmitted herewith is being filed after all the above conditions (37 CFR 1.97(b)), but before the mailing date of one of the following conditions:</p> <div style="margin-left: 40px;"> (1) a final action under 37 C.F.R. 1.113 or (2) a notice of allowance under 37 C.F.R. 1.311, or (3) an action that otherwise closes prosecution in the application. </div> <p>This Information Disclosure Statement is accompanied by:</p> <div style="margin-left: 20px;"> <input type="checkbox"/> A Certification (below) as specified by 37 C.F.R. 1.97(e). Although no fee is believed due, if any fee is deemed due in connection with this submission, please charge such fee to Deposit Account 19-1970. </div> <p style="text-align: center;">OR</p> <div style="margin-left: 20px;"> <input type="checkbox"/> A check in the amount of \$180.00 for the fee set forth in 37 C.F.R. 1.17(p) for submission of an information disclosure statement. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. </div>
<input type="checkbox"/>	<p>37 CFR 1.97(d): This Information Disclosure Statement is being submitted after the period specified in 37 CFR 1.97(c).</p> <div style="margin-left: 20px;"> <input type="checkbox"/> This information Disclosure Statement includes a Certification (below) as specified by 37 C.F.R. 1.97(e) </div> <p style="text-align: center;">AND</p> <div style="margin-left: 20px;"> <input type="checkbox"/> Applicants hereby requests consideration of the reference(s) disclosed herein. Enclosed is the fee in the amount of \$180.00 under 37 C.F.R. 1.17(p). Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. Please credit any overpayment or charge any underpayment to Deposit Account No. 19-1970. </div> <p>Election to pay the fee should not be taken as an indication that applicant(s) cannot execute a certification.</p>



Certification (37 C.F.R. 1.97(e))
(Applicable only if checked)

☐ The undersigned certifies that:

☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(1).

☐ A copy of the communication from the foreign patent office is enclosed.

OR

☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this statement. 37 C.F.R. 1.97(e)(2).

Respectfully submitted,

SHERIDAN ROSS, P.C.

By: 

Dennis J. Dupray
Registration No. 46,299
1560 Broadway, Suite 1200
Denver, CO 80202-5141
TELEPHONE: 303-863-2975
FAX: 303-863-0223

Date: Nov. 5, 2003

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SHEET 1 OF 2

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 3699-2-PUS	SERIAL NO. 09/646,141
	APPLICANT McLAUGHLIN et al.	
	FILING DATE September 13, 2000	GROUP ART 2652

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROP.
	1	5,930,209	7/27/1999	Spitzenberger et al.	369	32	
	2	5,881,038	3/9/1999	Oshima et al.	369	59	
	3	5,805,551	9/8/1998	Oshima et al.	369	59	
	4	5,737,290	4/7/1998	Ohmori	369	58	
	5	5,457,668	10/10/1995	Hiking et al.	369	32	
	6	4,380,769	4/19/1983	Thomas et al.	346	135.1	
	7	4,237,211	12/2/1980	Fanselow	430	336	

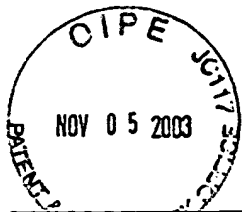
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FOREIGN PATENT DOCUMENTS

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		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
							YES	NO
	8	EP 1 065 665	Jan. 3, 2001	Europe	G11B	27/10		
	9	EP 1 050 879	Nov. 8, 2000	Europe	G11B	20/00		
	10	EP 1 020 856	Jan. 24, 2001	Europe	G11B	20/00		
	11	EP 0 940 810	Sept. 8, 1999	Europe	G11B	20/00		
	12	EP 0 844 612	May 27, 1998	Europe	G11B	20/00		
	13	EP 0 844 611	May 27, 1998	Europe	G11B	20/00		
	14	EP 0 806 768	Nov. 12, 1997	Europe	G11B	7/24		
	15	EP 0 789 908	May 30, 2001	Europe	G11B	15/04		

EXAMINER	DATE CONSIDERED
*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

SHEET 2 OF 2

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	ATTY. DOCKET NO. 3699-2-PUS	SERIAL NO. 09/646,141
	APPLICANT McLAUGHLIN et al.	
	FILING DATE September 13, 2000	GROUP ART 2652

	16	EP 0 767 957	Aug. 22, 2001	Europe	G11B	20/00		
	17	EP 0 706 174	Apr. 10, 1996	Europe	G11B	7/00		
	18	EP 0 697 699	Sept. 11, 1996	Europe	G11B	27/32		
	19	EP 0 637 016	Feb. 1, 1995	Europe	G11B	7/00		
	20	EP 0 090 888	Oct. 12, 1983	Europe	F42B	13/20		
	21	WO 02/059881	Aug. 1, 2002	PCT	G11B	5/09		
	22	WO 98/52194	Nov. 19, 1998	PCT	G11B	20/00		
	23	WO 98/41979	Sept. 24, 1998	PCT	G11B	3/00		
	24	WO 98/11539	Mar. 19, 1998	PCT	G11B	3/70		
	25	WO 98/03973	Jan. 29, 1998	PCT	G11B	7/007		
	26	WO 96/00963	Jan. 11, 1996	PCT	G11B	20/00		

OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)

	27	International Search Report of PCT/US97/08842 filed June 5, 1997
	28	International Search Report of PCT/US98/22871 filed October 28, 1998
	29	International Search Report of PCT/US02/02315 filed January 25, 2002

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